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JUL 31 2014

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIABY
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Vincent Henry Bartning, Plaintiff
1835 L. Ellenburg Street
Vallejo, CA 94590
(707) 731-1317

PRO SE

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA

VINCENT HENRY BARTNING
& USA KIA/DOW Family Foundation
(USAKIA)

Plaintiffs,

v.

Ohio Northern University, U.S. Department of
Education, U.S. Government Printing Office,
the United States of America

Defendants.2:14 - CV - 1812 TLN CKD PS
No.

CIVIL RIGHTS COMPLAINT, REQUEST
for COUNSEL, DEMAND for JURY TRIAL,
of VINCENT H. BARTNING

Date:

Time:

Plaintiff, Vincent Bartning, CEO & CIO of the USA KIA/DOW Family Foundation, is on a Waiting List for USF School of Law, serves uncompensated, and currently pursues a second graduate degree at Regis University in Software Engineering. He received his Graduate Certificate in Software Engineering from there in the spring. He filed complaints with U.S. Department of Education, Office for Civil Rights (OCR) regarding his treatment at Ohio Northern University (ONU) after complaining through ONU's process, and he filed suit here in U.S. District Court about the matter on July 26, 2014, Case No. 2:13-CV-01540-MCE-KJN, and an appeal with the United States Court of Appeals for the Ninth Circuit, No. 13-17265, after dismissal without prejudice on November 1, 2013. The appeal was also subsequently dismissed. However, even though the District Court approved moving ahead on the case, clerks would not validate summonses in the previous action so that proper service could not be performed.

1 Since the previous dismissals, the U.S. Government Printing Office (GPO) made a
2 mistake, wrongfully citing the case as "13-1540 - (PS) Bartning v. USA KIA/DOW Family
3 Foundation et al." The original complaint with the OCR, Docket #15-13-2001, involved age,
4 sex, and possible other bases of illegal discrimination under U.S. Code, Title 1982, et seq., Title
5 VI, IX, the Age Discrimination Act of 1975, and other civil rights provisions, including both the
6 State and Federal Constitutions and any other applicable laws including those bases the U.S.
7 Department of Education and its Office for Civil Rights are required to enforce. Plaintiff
8 completed his first year of law school at ONU.

9 A small nonprofit for families of U.S. killed in action (KIA) and died of wounds (DOW),
10 the USA KIA/DOW Family Foundation (USAKIA), representing a class of which Plaintiff
11 Bartning is a part of and an organization whose interest he legally must protect, stands by him in
12 his complaint. ONU denied the complaint in a correspondence dated July 28, 2012. The U.S.
13 Department of Education, Office for Civil Rights, subsequently decided against proper
14 enforcement.

15 Plaintiff presently seeks a refund and forgiveness of all loans associated with the first
16 year, cancelation of any further debt at ONU, and/or correction of grades based on illegal
17 discrimination which resulted in his dismissal from the University. In addition, the U.S.
18 government must protect kin of those KIA and DOW like it does for families of other veterans.
19 Moreover, this class has much more hardship than surviving veterans' families. Regulations and
20 laws must be properly enforced.

21 The plaintiffs sought legal advice about this matter and paid \$500 for it but have received
22 no services so far. Plaintiffs demand jury trial and file this claim as a class action for both the
23 KIA and DOW classes complained about and regarding the bases protected by the U.S.
24 Department of Education, Office for Civil Rights, Titles VI, IX, and the Age Discrimination Act
25 of 1975, as well as any other bases in civil rights, and as the class of kin of those KIA and/or
26 DOW, e.g. the Fifth and Fourteenth Amendments to the U.S. Constitution. Moreover, plaintiffs
27 also seek means for further productive legal representation. USAKIA wants competent legal
28 representation for itself and the class it represents, KIA and DOW families, families who have

1 lost their historic bread winners and loved ones, and this injustice towards them requires the
2 court's action. Vincent Bartning works toward benefitting kin of KIA and DOW and seeks
3 damages of \$200,000, an amount which does not compensate him for his injury with about
4 \$80,000 in direct costs for the first year at ONU alone. This amount may change.

5
6 Dated: July 31, 2014, Vallejo, CA.

By


VINCENT HENRY BARTNING
Plaintiff